

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

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|----------------|---|--------------------------------|
| THOMAS GADDIS, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Case No. 1:21-cv-00566-CLM-SGC |
| |) | |
| CHAD WOODOURF, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM OPINION

The magistrate judge entered a report on May 6, 2021, recommending this federal habeas petition filed by Thomas Gaddis be dismissed for failing to assert any claims cognizable, or seek any relief available, in a federal habeas corpus action and/or for failing to exhaust state court remedies. (Doc. 3 at 7).¹ Additionally, the magistrate judge recommended a certificate of appealability be denied. (Doc. 3 at 7-8). While advised of his right to file specific written objections to the report and recommendation within fourteen (14) calendar days (Doc. 3 at 8), Gaddis has not submitted objections, or any other response, within the prescribed time.


After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** her recommendations. In

¹ Gaddis's initial petition invoked 28 U.S.C. § 2241. (Doc. 1 at 1). In a later-filed notice, Gaddis claimed he was pursuing relief under 28 U.S.C. § 2254. (Doc. 2 at 1). The magistrate judge discussed the reasons Gaddis was not entitled to relief under either statute. (Doc. 3 at 3-5).

accordance with the recommendations, the court finds Gaddis's federal habeas petition is due to be **DISMISSED**. Furthermore, because the petition does not present issues that are debatable among jurists of reason, a certificate of appealability is due to be **DENIED**. *See* 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000); Rule 11(a), *Rules Governing § 2254 Proceedings*.

A separate order will be entered.

DONE this June 4, 2021.



COREY L. MAZE
UNITED STATES DISTRICT JUDGE